

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

HERBERT S. OLSON,  
  
Plaintiff,  
  
v.  
  
STATE OF NEVADA, STATE CAPITOL,  
  
Defendant.

Case No. 3:23-cv-513-ART-CLB  
  
ORDER GRANTING PLAINTIFF  
LEAVE TO RE-FILE AMENDED  
COMPLAINT

Plaintiff Herbert S. Olson, proceeding pro se, filed the present suit alleging that Defendant State of Nevada, State Capitol violated the American with Disabilities Act (“ADA”), Section 504 of the Rehabilitation Act (“RA”), and NRS 484B.467.


On July 17, 2024, the Court entered an order dismissing Plaintiff’s claims without prejudice and with leave for Plaintiff to file an amended complaint. (ECF No. 17 at 4.) Plaintiff was given 14 days from the date that the Attorney General identified the proper defendant to file an amended complaint with the proper defendant. (*Id.* at 4-5.) On July 22, 2024, Plaintiff notified the court clerk that he had not received the Court’s minute order from July 15, 2024, and was told another copy would be mailed to him. (ECF No. 19.) Also on July 22, Defendant filed notice of the proper defendant, though it appears this notice was not served on Mr. Olson. (ECF No. 18.) Based on the Court’s prior order, Mr. Olson had fourteen days, or until August 5, 2024, to file an Amended Complaint. Plaintiff then filed his amended complaint on October 22, 2024, well beyond his 14-day deadline. (ECF No. 20.) However, the Amended Complaint does not list the proper defendant identified by the Attorney General, suggesting that Mr. Olson may not have received that filing. Accordingly, the Court will order a copy of Defendant’s

1 notice to be sent to Plaintiff, and grants Plaintiff leave to re-file an amended  
2 complaint with the proper defendant.

3 It is therefore ordered that Plaintiff shall have until December 16, 2024 to  
4 re-file his amended complaint with the proper defendant.

5 It is also ordered that the Clerk is directed to SEND a copy of ECF No. 18,  
6 along with this order, to Plaintiff at his mailing address on file.

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8 Dated this 25<sup>th</sup> day of November, 2024.

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12 ANNE R. TRAUM  
13 UNITED STATES DISTRICT JUDGE  
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